EXHIBIT A

PATENT/DC

Docket No.: 5398-027-27 CONT   By: SBK/MY/klh

PIPER RUDNICK No.: 311398-45

Serial No.: 10/697,720

In the Matter of the Application of: Stanley N. COHEN, et al.

For: MAMMALIAN TUMOR SUSCEPTIBILITY GENES AND THEIR USES

The following has been received in the U.S. Patent Office on the date stamped hereon:

[ ] _____ pp. Specification & _____ Claims/Drawings_____ Sheets
[ ] Combined Declaration, Petition & Power of Atty.(_ Pages/Executed)
[ ] Utility Patent Application Transmittal
[ ] Continued Prosecution Application
[ ] Request for Continued Examination (RCE)
[ ] List of Inventors' Names and Addresses
[■] Fee Transmittal
[■] Check for $ 740.00   [ ] Dep. Acct /Order Form
[ ] Assignment_____ pages (executed)   [ ] PTO-1595
[ ] Request for Priority
[ ] Priority Doc. ( )
[ ] White Advance Serial Number Postcard   JUN 2 9 2004
[ ] Preliminary Amendment
[ ] Letter to Official Draftsman
[ ] Request for Approval of Proposed Drawing Changes
[ ] Drawings _____ sheets
[■] Letter (Transmittal)
[■] Notice To Comply (return copy)
[■] Request for Extension of Time (4 month(s))
[■] Response to Notice to Comply and Preliminary Amendment
[ ] List of Related Cases
[ ] Cited Documents ( )
[ ] _____ Search Report
[ ] Statement of Relevancy
[ ] Restriction Response   [ ] Election Response
[■] Computer Readable Sequence Listing (diskette)
[■] Statement Under 37 C.F.R. § 1.821-1.825 (1 page, executed)
[■] Substitute Sequence Listing (paper copy, 9 pages) (1 diskette)
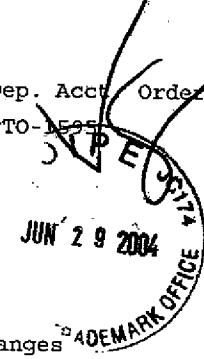
Rev. 04/04   DUE DATE: June 30, 2004

DOCKET NO.: 5398-027-27 CONT

ASSISTANT COMMISSIONER FOR PATENTS
PO BOX 1450
ALEXANDRIA, VA 22313-1450

Re: Serial No.: 10/697,720
        Applicant(s): Stanley N. COHEN, et al.
        Filing Date: October 29, 2003
        For: MAMMALIAN TUMOR SUSCEPTIBILITY GENES AND THEIR
        USES
        Group Art Unit: 1642
        Examiner: Unassigned

SIR:

Attached hereto for filing are the following papers:

Fee Transmittal
Request for Extension of Time (4 months)
Notice to Comply (Return Copy)
Response to Notice to Comply and Preliminary Amendment
Statement Under 37 C.F.R. § 1.821-1.825 (1 page, executed)
Substitute Sequence Listing (paper copy, 9 pages)
Computer Readable Sequence Listing (diskette)

Our check in the amount of $ 740.00 is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary extension of time to make the filing of the attached documents timely, please charge or credit the difference to Deposit Account No. 50-1442. Further, if these papers are not considered timely filed, then a request is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

PIPER RUDNICK LLP

Michael Ye (signature)
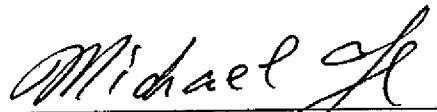
Steven B. Kelber
Attorney of Record
Registration No.: 30,073

Michael Ye
Registration No.: 47,195

FEE TRANSMITTAL

Docket No.	5398-027-27 CONT
Serial No.	10/697,720
Filing Date	October 29, 2003
Inventor(s)	Stanley N. COHEN, et al.
Group Art Unit	1642

TOTAL AMOUNT OF PAYMENT	$740.00	Examiner	Unassigned

1. ■ Applicant claims small entity status.

■ Charge any **UNDERPAYMENT** or credit any **OVERPAYMENT** in the indicated fees to Deposit Account No. 50-1442.

▢ Charge the indicated fees to Deposit Account No. 50-1442.

2. ■ Check enclosed.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description		Fee Paid
Fee Code	Fee ($)	Fee Code	Fee ($)			
1001	770	2001	385	Utility filing fee		
1002	340	2002	170	Design filing fee		
1003	520	2003	260	Plant filing fee		
1004	770	2004	385	Reissue filing fee		
1005	160	2005	80	Provisional filing fee		
				SUBTOTAL (1)		$0.00

2. EXTRA CLAIM FEES

tot. claims		-	20*	=	0	x	$9	=	0
ind. claims		-	3*	=	0	x	$43	=	0
▢ Multiple Dependent Claims				$145	=				

Large Entity		Small Entity		Fee Description
Fee Code	Fee ($)	Fee Code	Fee ($)	
1202	18	2202	9	Claims in excess of 20
1201	86	2201	43	Independent claims in excess of 3
1203	290	2203	145	Multiple dependent claim, if not paid
1204	84	2204	43	*Reissue independent claims over original patent
1205	18	2205	9	*Reissue claims in excess of 20 and over original patent
			SUBTOTAL (2)	$0.00

* or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee ($)	Fee Code	Fee ($)		
1051	130	2051	65	Surcharge-late filing fee or oath	
1052	50	2052	25	Surcharge-late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English Specification	
1251	110	2251	55	1-mo. ext. of time	
1252	420	2252	210	2-mo. ext. of time	
1253	950	2253	475	3-mo. ext. of time	
1254	1480	2254	740	4-mo. ext. of time	740.00
1255	2010	2255	1005	5-mo. ext. of time	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Appeal Brief	
1403	290	2403	145	Request for Oral Hearing	
1501	1330	2501	665	Utility/Reissue Issue Fee	
1502	480	2502	240	Design Issue Fee	
1504	300	1504	300	Publication Fee	
8001	3	8001	3	Advance Copy of Patent	
1460	130	1460	130	Petitions to the Commissioner	
1806	180	1806	180	IDS Submission	
8021	40	8021	40	Assignment recordation	
1801	770	2801	385	For Filing RCE	
1814	110	2814	55	Terminal Disclaimer	
OTHER (indicate below):					
				SUBTOTAL (3)	$740.00

Name	Steven B. Kelber		Registration No.	30,073	
Signature	*[signature]*	Date	6-30-04	Telephone	202-861-3900
Name	Michael Ye		Registration No.	47,195	
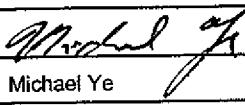
Rev. 10/03

DOCKET NO. 5398-027-27 CONT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Stanley N. COHEN, et al.   ART UNIT: 1642

SERIAL NO.: 10/697,720   EXAMINER: Unassigned

FILING DATE: October 29, 2003

FOR: MAMMALIAN TUMOR SUSCEPTIBILITY GENES AND THEIR USES

REQUEST FOR EXTENSION OF TIME UNDER 37 C.F.R. 1.136

ASSISTANT COMMISSIONER FOR PATENTS
PO BOX 1450
ALEXANDRIA, VA 22313-1450

SIR:

It is hereby requested that a ☐ one ☐ two ☐ three ■ four ☐ five

   ☐ second ☐ third ☐ fourth ☐ fifth (a ____-month extension and fee having been filed on _____)

month extension of time be granted to June 30, 2004 for:

    ☐ filing a response to the Official Action dated:

    ☐ responding to the requirements in the Notice of Allowability dated:

    ☐ filing the Formal Drawings. The Issue Fee due   has been timely filed.

    ☐ responding to the Notice to File Missing Parts of Application dated:

    ☐ filing a Notice of Appeal. A timely response to the final rejection, due   has been filed.

    ☐ filing an Appeal Brief. A Notice of Appeal was filed on:

    ■ responding to the Notice to Comply dated : December 30, 2003.

The required fee of $740.00 is enclosed herewith by check and any further charges may be made against the Attorney of Record's Deposit Account No. 50-1442. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

PIPER RUDNICK LLP
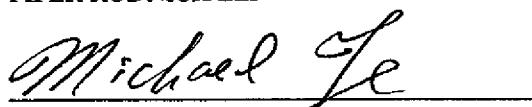
Steven B. Kelber
Registration No. 30,073
Attorney of Record

Michael Ye
Registration No. 47,195

1200 Nineteenth Street, N.W.
Washington, D.C. 20036-2412
Telephone No. (202) 861-3900
Facsimile No. (202) 223-2085

DOCKET NO. 5398-027-27 CONT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Stanley N. COHEN, et al.   ART UNIT: 1642

SERIAL NO.: 10/697,720   EXAMINER: Unassigned

FILING DATE: October 29, 2003

FOR: MAMMALIAN TUMOR SUSCEPTIBILITY GENES AND THEIR USES

RESPONSE TO NOTICE TO COMPLY AND PRELIMINARY AMENDMENT

ASSISTANT COMMISSIONER FOR PATENTS
PO BOX 1450
ALEXANDRIA, VA 22313-1450

SIR:

In response to the Notice to Comply with Requirements for Patent Applications

Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures mailed December 30,

2003, enclosed please find a Computer-Readable Sequence Listing (diskette) and Substitute

Sequence Listing (paper copy), along with a statement that the contents of the paper and

computer readable form are the same as set forth in 37 C.F.R. 1.821(f).

A Request for Extension of Time for four months is attached hereto and incorporated

herein by reference, thereby extending the date for response from February 29, 2004 to June 30,

2004.

PRELIMINARY AMENDMENT

Prior to examination of the above-identified application, and to advance the prosecution

thereof, please amend the above-referenced application in the following manner.

IN THE SPECIFICATION

After page 46, between the specification and the claims, please insert the enclosed paper

copy of the Substitute Sequence Listing.

REMARKS

The specification has been amended by adding the attached Substitute Sequence Listing which replaces the Sequence Listing of record in parent Application 09/804,690, filed March 12, 2001. No new matter is believed to be added. Entry is respectfully requested.

CONCLUSIONS

Applicants respectfully submit that in view of the foregoing amendment and remarks, the application is in condition for examination. Favorable consideration is respectfully requested.

Respectfully submitted,

PIPER RUDNICK LLP
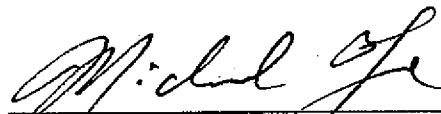
Steven B. Kelber
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Attorney of Record

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Telephone No. (202) 861-3900
Facsimile No. (202) 223-2085

Michael Ye
Registration No. 47,195

-3-

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/697,720	10/29/2003	Stanley N. Cohen	S93-160 CON2

CONFIRMATION NO. 3761

Bertram I. Rowland, Esq.
Lumen Intellectual Property Services, Inc.
2nd Floor
2345 Yale Street
Palo Alto, CA 94306

FORMALITIES LETTER

OC000000011585019

Date Mailed: 12/30/2003

NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

Filing Date Granted

Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file the items indicated below to avoid abandonment. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

- This application does not contain a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). Applicant must provide such statement. If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- **For Rules Interpretation, call (703) 308-4216**
- **To Purchase PatentIn Software, call (703) 306-2600**
- **For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov**

Replies should be mailed to: Mail Stop Missing Parts

Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

A copy of this notice __MUST__ be returned with the reply.

Y·G
_____
Customer Service Center
Initial Patent Examination Division (703) 308-1202
PART 2 - COPY TO BE RETURNED WITH RESPONSE

DOCKET NO. 5398-027-27 CONT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Stanley N. COHEN, et al.   ART UNIT: 1642

SERIAL NO.: 10/697,720   EXAMINER: Unassigned

FILING DATE: October 29, 2003

FOR: MAMMALIAN TUMOR SUSCEPTIBILITY GENES AND THEIR USES

STATEMENT UNDER 37 C.F.R. §1.821-1.825

ASSISTANT COMMISSIONER FOR PATENTS
PO BOX 1450
ALEXANDRIA, VA 22313-1450

SIR:

I, Michael Ye, declare as follows:

1.   That the contents of the attached paper copy of the sequence listing and the

attached computer readable copy of the sequence listing submitted in accordance with 37 CFR

1.821(c) and (e), respectively, are the same in compliance with 1.821(f).

2.   That the submission herein, filed in accordance with 37 CFR 1.821(g), does not

include new matter.

Respectfully submitted,

PIPER RUDNICK LLP

_6-30-04_
Date

Michael Ye
Michael Ye
Registration No. 47,195

1200 Nineteenth Street, N.W.
Washington, D.C. 20036-2412
Telephone No. (202) 861-3900
Facsimile No. (202) 223-2085

SEQUENCE LISTING

<110> Cohen, Stanley N.
      Li, Limin

<120> Mammalian Tumor Susceptibility Genes and Their Uses

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    210   215   220

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gcagagctca atgccttgaa acgaacagaa gaagacctga aaaagggtca ccagaaactg 900
gaagagatgg ttacccgttt agatcaagaa gtagccgagg ttgataaaaa catagaactt 960
ttgaaaaaga aggatgaaga actcagttct gctctggaaa aaatggaaaa tcagtctgaa 1020
aacaatgata tcgatgaagt tatcattccc acagctccct tatacaaaca gatcctgaat 1080
ctgtatgcag aagaaaacgc tattgaagac actatctttt acttgggaga agccttgaga 1140
aggggcgtga tagacctgga tgtcttcctg aagcatgtac gtcttctgtc ccgtaaacag 1200
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ttccagctga gggcactaat gcaaaaagca agaaagactg ccggtctcag tgacctctac 1260
tgacttctct gataccagct ggaggttgag ctcttcttaa agtattcttc tcttcctttt 1320
atcagtaggt gcccagaata agttattgca gtttatcatt caagtgtaaa atattttgaa 1380
tcaataatat attttctgtt ttcttttggt aaagactggc ttttattaat gcactttcta 1440
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<212> PRT
<213> Artificial Sequence

<220>
<223> primer

<400> 4
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Tyr Arg Asp Leu Thr Val Arg Glu Thr Val Asn Val Ile Thr Leu Tyr
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Lys Asp Leu Lys Pro Val Leu Asp Ser Tyr Val Phe Asn Asp Gly Ser
            35                  40                  45
Ser Arg Glu Leu Met Asn Leu Thr Gly Thr Ile Pro Val Pro Tyr Arg
        50                  55                  60
Gly Asn Thr Tyr Asn Ile Pro Ile Cys Leu Trp Leu Leu Asp Thr Tyr
65                  70                  75                  80
Pro Tyr Asn Pro Pro Ile Cys Phe Val Lys Pro Thr Ser Ser Met Thr
                85                  90                  95
Ile Lys Thr Gly Lys His Val Asp Ala Asn Gly Lys Ile Tyr Leu Pro
                100                 105                 110
Tyr Leu His Glu Trp Lys His Pro Gln Ser Asp Leu Leu Gly Leu Ile
            115                 120                 125
Gln Val Met Ile Val Val Phe Gly Asp Glu Pro Pro Val Phe Ser Arg
        130                 135                 140
Pro Ile Ser Ala Ser Tyr Pro Pro Tyr Gln Ala Thr Gly Pro Pro Asn
145                 150                 155                 160
Thr Ser Tyr Met Pro Gly Met Pro Gly Gly Ile Ser Pro Tyr Pro Ser
                165                 170                 175
Gly Tyr Pro Pro Asn Pro Ser Gly Tyr Pro Gly Cys Pro Tyr Pro Pro
            180                 185                 190
Gly Gly Pro Tyr Pro Ala Thr Thr Ser Ser Gln Tyr Pro Ser Gln Pro
            195                 200                 205
Pro Val Thr Thr Val Gly Pro Ser Arg Asp Gly Thr Ile Ser Glu Asp
        210                 215                 220
Thr Ile Arg Ala Ser Leu Ile Ser Ala Val Ser Asp Lys Leu Arg Trp
225                 230                 235                 240
Arg Met Lys Glu Glu Met Asp Arg Ala Gln Ala Glu Leu Asn Ala Leu
                245                 250                 255
Lys Arg Thr Glu Glu Asp Leu Lys Lys Gly His Gln Lys Leu Glu Glu
                260                 265                 270
Met Val Thr Arg Leu Asp Gln Glu Val Ala Glu Val Asp Lys Asn Ile
            275                 280                 285
Glu Leu Leu Lys Lys Lys Asp Glu Glu Leu Ser Ser Ala Leu Glu Lys
        290                 295                 300
Met Glu Asn Gln Ser Glu Asn Asn Asp Ile Asp Glu Val Ile Ile Pro
305                 310                 315                 320
Thr Ala Pro Leu Tyr Lys Gln Ile Leu Asn Leu Tyr Ala Glu Glu Asn
                325                 330                 335
Ala Ile Glu Asp Thr Ile Phe Tyr Leu Gly Glu Ala Leu Arg Arg Gly
            340                 345                 350
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Val Ile Asp Leu Asp Val Phe Leu Lys His Val Arg Leu Leu Ser Arg
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Lys Gln Phe Gln Leu Arg Ala Leu Met Gln Lys Ala Arg Lys Thr Ala
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Gly Leu Ser Asp Leu Tyr
385                 390
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<220>
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aggucaugau uguguuauuu ggagaug   27

<210> 6
<211> 27
<212> RNA
<213> Artificial Sequence

<220>
<223> primer

<400> 6
caucuccaaa uaccacaauc augaccu   27

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<212> RNA
<213> Artificial Sequence

<220>
<223> primer

<400> 7
caucaucauc augaggtggc ttatgagtat ttcttccag   39

<210> 8
<211> 39
<212> RNA
<213> Artificial Sequence

<220>
<223> primer

<400> 8
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<220>
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<210> 10
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<220>
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<400> 11
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<220>
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<210> 16
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<400> 16
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<220>
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<210> 18
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<220>
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<400> 18
cacagtcaga cttgttgggg cttattc   27

<210> 19
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<212> PRT
<213> Artificial Sequence

<220>
<223> primer

<400> 19
His Thr His Leu Ala Met Asx Asp Ala
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<210> 20
<211> 10
<212> PRT

<213> Artificial Sequence

<220>
<223> primer

<221> VARIANT
<222> 2
<223> Xaa = Any Amino Acid

<400> 20
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